

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PIOTR J. GARDIAS,

No. C04-04086 HRL

Plaintiff,

Consolidated With: C04-04768 HRL
C05-01242 HRL
C05-01833 HRL
C06-04695 HRL

v.

SAN JOSE STATE UNIVERSITY,

**ORDER DENYING PLAINTIFF'S
"FIRST MOTION FOR JUDGMENT"**

Defendant.

[Re: Docket No. 103]

On September 18, 2006, plaintiff filed a "First Motion for Judgment," requesting monetary or other sanctions against defense counsel. This court finds that the motion is suitable for disposition without oral argument. See Civ. L.R. 7-1(b). In essence, plaintiff is upset that defense counsel (Mary Cain-Simon) contacted his former Assisted Settlement Counsel (Gregory Charles) without his knowledge, and he disputes the veracity of Cain-Simon's statements to Charles. However, upon review of plaintiff's motion, this court finds no grounds for sanctions. Accordingly, plaintiff's motion is DENIED, and the October 31, 2006 hearing is VACATED.

IT IS SO ORDERED.

Dated: September 28, 2006



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 A copy of this order will be mailed to:

2 Piotr J. Gardias
3 72 Floyd St.
4 San Jose, CA 95110

5 Mary Susan Cain-Simon
6 California Attorney General's Office
7 1515 Clay Street, 20th Floor
8 P. O. Box 70550
9 Oakland, CA 94612-0550

10 Dated: 9/28/06 /s/
11 Chambers of Magistrate Judge Lloyd